



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
Department No.: 013
For Agenda Of: November 3, 2015
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Michael C. Ghizzoni, County Counsel (568-2950) *MGH*
Director(s)
Contact Info: Anne Rierson, Senior Deputy County Counsel (568-2950)

SUBJECT: Extension of Term of Agreement with Outside Counsel

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form: Risk Management

Recommended Actions:

- a. Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Special Counsel Services with Orrick, Herrington & Sutcliffe LLP, extending the term of the Agreement to November 3, 2016, but not increasing the previously approved contract amount; and
- b. Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

This Amendment No. 1 extends the term of the Agreement for Special Counsel Services with the law firm Orrick, Herrington & Sutcliffe LLP to November 3, 2016. Orrick has been providing legal services to the County incident to the development, financing, and operation of a potential Resource Recovery Project with potential contractor Mustang Renewable Power Ventures. The Agreement is set to expire on November 3, 2015. Staff recommends extending the Agreement for one year.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The extension of the current Agreement does not have any new fiscal impacts. The previously approved contract amount is \$50,000. There is approximately \$28,390 left on the Agreement. The expenditures are being paid by Resource Recovery.

Key Contract Risks:

County Counsel views this Agreement as low risk because Orrick, Herrington & Sutcliffe is highly experienced in bond and tax matters, and has worked with the County successfully for many years on the County's financings. Orrick is familiar with the County's past bond issuances.

Special Instructions:

Please send signed copies of Amendment No. 1 to Anne Rierson in County Counsel and to Leslie Wells in Resource Recovery.

Attachments:

Amendment No. 1 to Agreement for Special Counsel Services
Agreement for Special Counsel Services
Contract Summary Sheet.

Authored by:

Anne Rierson, Senior Deputy County Counsel